IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

SPL. APPL. WRIT No. 1023 of 2007

KANHIYA LAL
V/S
STATE & ORS

Mr. MANISH SHISHODIA & Mr. MOHD. ASLAM, for the appellant / petitioner

Mr. HR SONI, A.G.A., for the respondent

Date of Order : 12.12.2007

HON'BLE SHRI N P GUPTA,J.
HON'BLE SHRI MUNISHWAR NATH BHANDARI,J.

ORDER

Heard learned counsel for the appellant, and perused the impugned order.

The learned Single Judge has given cogent reasons for finding that the appellant has no right, title, or interest in the property, and is not entitled to have any declaration of his Khatedari rights. It has been found that in Jamabandi of Svt. 2010 to 2013 the land was recorded in the name of Jagirdar, and the only entry about the nature of the land being in the name of Ram Ratan son of Shivdayal of Svt. Year 2003 as “Shikmi Kashtkar” which by itself does not confer any Khatedari rights on the petitioner. So far as the subsequent entries in Girdawari of Svt. Years 2014 to 2016 and 2030 to 2033 are concerned, they have also been

considered, and it was found that that was also an encroachment, and even thereby the petitioner does not get any right. It has also been considered that Shikmi Khatedari of Ram Ratan was also cancelled by Thikana way back on 1.9.1948 itself. Thus the land was claimed to be government land, and was allotted to the government shool. In these circumstances, the grievance of the appellant has rightly been declined by the learned courts below including the learned Single Judge.

The appeal, thus, has no force, and the same is hereby dismissed.

( MUNISHWAR NATH BHANDARI ),J. ( N P GUPTA ),J.

/Sushil/